

# CERTIFIED REENTRY SPECIALIST TRAINING 2019

WENDI BOWEN EURE, REENTRY COORDINATOR  
NC DEPARTMENT OF COMMERCE REENTRY INITIATIVE



**NORTH CAROLINA**  
Department of Commerce  
*Division of Workforce Solutions*

# THE COMMERCE REENTRY TEAM

- Reentry Program Coordinator, Wendi Eure.....
- Six Highly Qualified Regional Reentry Specialists
- NCWorks Career Centers, Reentry Specialists, and partners



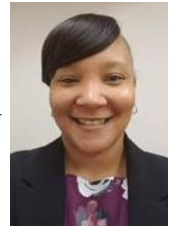
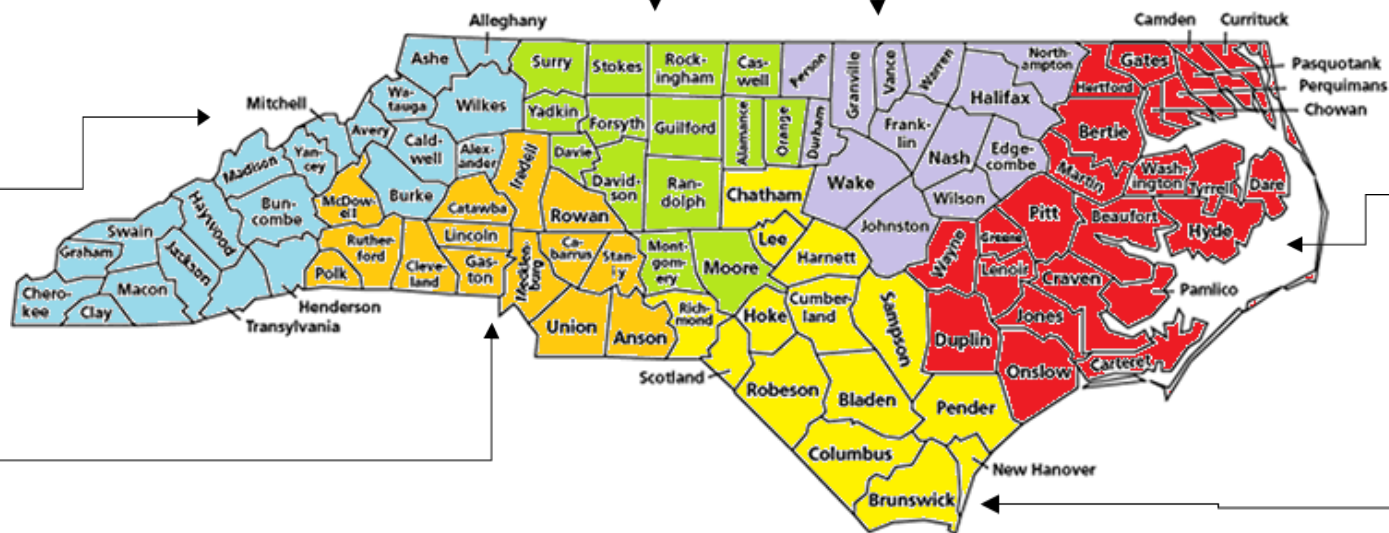
Brian Long



Vanessa James



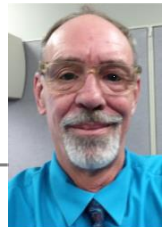
Janie Rollins



Tenisha Kelly



Victor Hinant



Michael Westray



# NC COMMERCE REENTRY INITIATIVE

## **Vision:**

To help develop a culture in NC where individuals with a criminal record have the same access to employment as any other job seeker.

## **Mission:**

Promote “Equitable Hiring” to employers, individuals with criminal records, and the community through engagement, education, and partnerships.

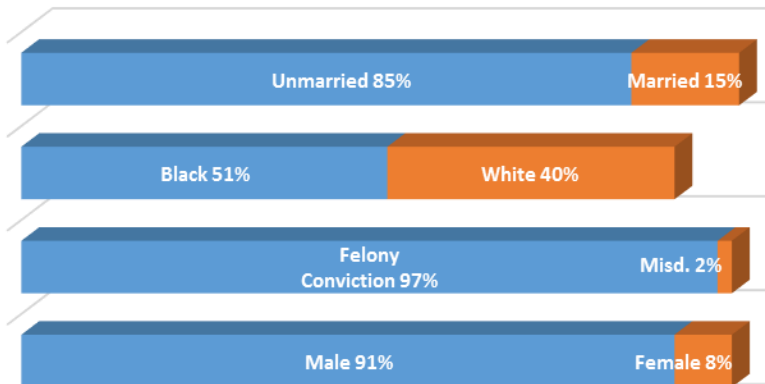
## **Regional Strategies and Goals:**

- 1) Provide technical assistance and training to NCWorks Career Center staff
  - 1) Ensure ALL customers with criminal records are properly entered into NCWorks Online
  - 2) Regional Certified Reentry Specialist trainings and webinars
- 2) Educate employers and community about initiative programs and services available
  - 1) Host or provide employer events or learning sessions
  - 2) Develop a webinar for employers which will be live, but can be accessed afterward
- 3) Work with Department of Public Safety on various projects
- 4) Build network of partner service providers
  - 1) Participate in Reentry Councils and Reentry Roundtables across the state
  - 2) Host/provide community education events
- 5) Provide direct services to customers who need additional assistance
  - 1) Provide services to Inmates currently incarcerated (42 Jails, State and Federal Facilities)
  - 2) Promote Expungement and Certificate of Relief through legal clinics



# TRUTH IN NUMBERS

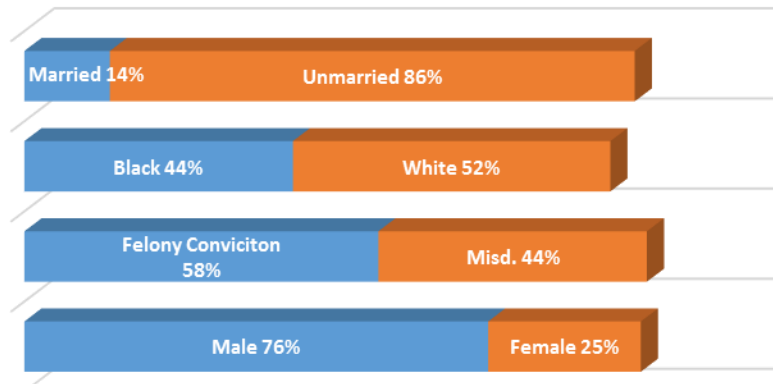
## 36,176 Prison Inmates



Top crime categories are:

- Habitual Felon 4,933
- Sexual Assault 4,410

## 94,738 Probation/Post Release/Parole



Top crime categories are:

- Drugs- non Trafficking 19,092
- Driving While Impaired 13,150

- Additional in Federal Prisons, Local Jails, OR not under any supervision
  - About **95%** are released at some point
  - **26,575** were released from NC prisons in 2018



# INCARCERATED VETERANS

- Over **180,000** Veterans incarcerated in state, federal prisons and local jails (2012)
- Veterans represent about **8%** of the incarcerated population
- Incarceration rate for Veterans is slightly lower than that of non-veterans
- Black and Hispanics incarcerated represented **38%** of incarcerated Veterans
- Compared to **63%** of incarcerated non-Veterans
- Greater percentage of incarcerated Veterans sentenced for violent offenses (**64%**)
- Compared to **48%** of non-Veterans sentences for violent offenses
- Veteran's Administration serving incarcerated veterans
- Veteran Treatment Court

\*\*\*Data from the Bureau of Justice Statistics\*\*\*





# YOUTH



- In 2017, law enforcement in the U.S. arrested over 809,000 individuals under age 18.
  - 29% Female, fastest growing population
  - 62% White / 35% Black

## Raise the Age Initiative

- Currently, NC automatically charges 16-years-old and above in the **ADULT** criminal justice system.
- Effective December 2019, the juvenile jurisdiction will be raised for **nonviolent crimes to age 18**.
- Support for **Raise the Age** included all three branches of NC government – executive, judicial and legislative – as well as law enforcement and advocacy organizations.

**NCWORKS UPDATE:** Juvenile criminal records should **NOT** be entered into NCWorks. Only those convicted under the adult criminal justice system.

US Department of Justice, Office of Juvenile Justice and Delinquency Prevention: <https://www.ojjdp.gov/ojstatbb/crime/qa05101.asp?qaDate=2017>



# WHAT DOES IT MEAN TO HAVE A CRIMINAL RECORD IN NC

1 in 3 Working age adults have something on their criminal record!

## What is on a criminal record?

- Criminal Convictions (Guilty)
- Arrests
- Dismissed Charges
- Charges Disposed “Not Guilty”
- Charges Pled to Lesser Offenses
- Deferred Prosecution/Diversionary Program
- Domestic Violence/Restraining Orders

## Who maintains criminal records?

- Administrative Office of the Courts (AOC)
- Local/State/Federal Law Enforcement
- Department of Public Safety
- Division of Motor Vehicles (DMV)
- Private Background Check Companies, (Credit Reporting Agencies)
- Media



# LOOKING UP A CRIMINAL RECORD

- Adult criminal records are **PUBLIC** record
- Have a reason for looking up a customer's record, not just because they "look like a criminal"
- Do not use this information for harm, Use it to better assist the customer
- NC DPS Public Offender Search:  
<https://webapps.doc.state.nc.us/opi/offendersearch.do?method=view>
- NC Sex Offender Registry: <http://sexoffender.ncsbi.gov/search.aspx>
- Federal Inmate Locator: <https://www.bop.gov/inmateloc/>
- NC Court Calendar to search upcoming court dates:  
<http://www1.aoc.state.nc.us/www/calendars/CriminalQuery.html>

Collateral consequences of a criminal record can be more destructive than direct consequences  
**Collateral Consequences Assessment Tool (C-CAT):** <https://ccat.sog.unc.edu/>







# DIRECT SERVICES

Those who are employed are 3 times less likely to return to prison

Direct services are provided by the NCWorks Career Center staff and recorded in NCWorks

- Customers with a past criminal record or pending charge should be able to access all the services the center has to offer.
- No customer should ever be turned away
- Job referrals should not be denied based on criminal record
- Only refer to Regional Reentry Specialist after staff have done all they can do with the individual and more assistance is needed, or in other special situations. \*Customer should be registered in NCWorks **PRIOR** to referral.

In 2018, Centers served **OVER 10,000** individuals who disclosed having a record.





# NCCRI REGISTRATION

**ANY customer with a criminal record should have the NC Commerce Reentry Characteristic selected by ANY NCWorks Career Center Staff.**

**The proper procedure is as follows:**

**Step 1:** In the general information ensure the “Have you been previously arrested or convicted of a crime” is properly annotated.

**Step 2:** Under the W-P wizard, “Barriers”, ensure the box is checked for ex-offender

**Step 3:** Under the Special Project/Indicator 1, Select NC Commerce Reentry Initiative

**Step 4:** Under the activity/service plan, enter a Service R01 service.

**\*\*\*Only enter Conviction info on individuals with an ADULT criminal record**

**\*\*\*Detailed instructions were sent to all DWS staff and Local Area Directors**



# WIOA LEGISLATION (REENTRY)

## TRAINING AND EMPLOYMENT GUIDANCE LETTER WIOA NO. 19-16

### OPERATING GUIDANCE for the WORKFORCE INNOVATION AND OPPORTUNITY ACT

**Priority Populations under WIOA.** Across all titles, WIOA focuses on serving “individuals with barriers to employment”, defined in WIOA section 3(24) and seeks to ensure access to quality services for these populations.

The populations included in the “individuals with barriers to employment” in WIOA sec. 3(24) include:

- (a) Displaced homemakers (as defined in WIOA sec. 3(16));
- (b) Low-income individuals (as defined in WIOA sec. 3(36));
- (c) Indians, Alaska Natives, and Native Hawaiians (as defined in WIOA sec. 166(b));
- (d) Individuals with disabilities, including youth who are individuals with disabilities (as defined in WIOA sec. 3(25) (includes individuals who are in receipt of Social Security Disability Insurance);
- (e) Older individuals (age 55 and older) (as defined in WIOA sec. 3(39));
- (f) Ex-offenders (“offender” as defined in WIOA sec. 3(38)); (38) Offender.--The term “offender” means an adult or juvenile-- (A) who is or has been subject to any stage of the criminal justice process, and for whom services under this Act may be beneficial; or (B) who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.**
- (g) Homeless individuals or homeless children and youths (see Attachment III);



# APPLICATION AND RESUME TIPS

- Fill in work history gaps
- Include work done while incarcerated
- Include training taken while incarcerated
- Include time spent in college or training
- Include part-time and volunteer work
- Include side jobs and work done “off the books”
- Consider using a functional resume for limited work history

FIRST LAST NAME		
EMAIL@gmail.com • 888-888-8888 • Address Asheville, NC 28801		
<b>PROFESSIONAL SUMMARY</b> (OPTIONAL): Skilled hands for hard work, construction, & landscaping.		
<b>WORK ETHICS</b>		
➤ Hard worker	➤ Completer of tasks	➤ Responsible
➤ Team player	➤ Reliable	➤ Good time management
➤ Diligent	➤ Honest	
	➤ Reliable	
<b>AREAS OF EXPERTISE</b>		
<b>General Construction/ Handyman work</b>		
➤ Control traffic passing near, in, or around work zones.		
➤ Material handling; Load and unload building materials, machinery, or tools		
➤ Use hand tools		
➤ Mix, pour, or spread concrete and asphalt, using portable cement mixers.		
➤ Position and hold timbers, lumber, or paneling in place for fastening, cutting, drilling, and installing		
<b>Landscaping and Grounds Keeping</b>		
➤ Operate vehicles and powered equipment, such as mowers, edgers, snow blowers, chain saws, electric clippers, sod cutters, and pruning saws.		
➤ Care for established lawns by mulching, weeding, fertilizing, pruning, and trimming		
➤ Use hand tools, such as shovels, rakes, pruning saws, saws, hedge or brush trimmers, or axes.		
➤ Gather and remove litter.		
<b>Restaurant: Cook and Cashier</b>		
➤ Maintain sanitation, health, and safety standards in work areas.		
➤ Clean food preparation areas, cooking surfaces, and utensils.		
➤ Cook and package batches of food, which are prepared to order or kept warm until sold.		
➤ Operate large-volume cooking equipment such as grills, deep-fat fryers, or griddles.		
➤ Prepare and cook food according to customer order slips and or instructions.		
➤ Clean, stock, and restock workstations and display cases		
➤ Receive payment by cash, check, credit cards, or automatic debits.		
➤ Maintain clean, orderly checkout areas; complete other general cleaning duties: mopping floors & trash removal		
<b>WORK EXPERIENCE</b>		
C. Enterprise	City, NC	2017
Johnston's Kitchen	City, NC	2016
Gentry's Landscaping	City, NC	2015
Bo jangles	City, NC	2014-2015
J.T. Handyman	City, NC	2013-2014
<b>EDUCATION/ CERTIFICATIONS</b>		
High School Diploma (High School Equivalency Diploma)		NAME OF High School
Certified Welder		NAME OF High School
CRC Silver		NAME OF High School
<b>VOLUNTEER WORK</b>		
<b>MILITARY SERVICE</b>		



# LETTER OF EXPLANATION

- Explain negative background
- Prove Rehabilitation
- From your heart
- Show Remorse
- Grammar and spelling

Introduction, reason for letter

I am submitting my application for the position of \_\_\_\_\_. With this letter, I wish to provide an explanation of my past

Explain the history of the problem,

- What led you to the criminal behavior
- Don't be timid in giving details of personal challenges

Describe the steps you have taken to correct the problem

Close the letter by looking to your future



# WHAT DETERMINES RISK?

- ✓ Number of Crimes and Type of Crimes
- ✓ Time passed with good behavior
- ✓ Financial status, ability to meet financial obligations
- ✓ Marital Status
- ✓ Attitude and willingness to change behavior
- ✓ Substance misuse, addiction
- ✓ Employment Status, Stability of Employment
- ✓ Education Level, High School Completion
- ✓ Gender
- ✓ Age





# HOW CAN WE MAKE A DIFFERENCE IN RISK LEVEL?

- Education
- Employment
- Motivation
- Proper Referrals to other services such as:
  - Substance Abuse Treatment
  - Mental Health Treatment
  - Housing
  - Food
  - Clothing



# PROGRAMS & ACTIVITIES FOR INCARCERATED INDIVIDUALS



# EMPLOYER RELATIONS & INCENTIVE PROGRAMS



**NORTH CAROLINA**  
Department of Commerce  
*Division of Workforce Solutions*

# FEDERAL BONDING PROGRAM (FBP)

AN INCENTIVE FOR EMPLOYERS WHO HIRE “AT RISK” INDIVIDUALS

- **Provides a guarantee of job honesty by issuing FREE bonding to reimburse the employer for any loss due to employee theft of money or property.**
    - \$5,000 in coverage (Up to \$25,000 if business needs require)
    - 6 Months of Coverage at NO COST
    - No application or forms to complete (our staff take care of that)
    - No Deductible if employee dishonesty occurs
    - No age limits for bonded individuals (other than legal working age)
    - ANY job can be covered
    - ANY full or part-time employee paid wages with Federal taxes automatically deducted
    - Temporary Agencies are eligible
  - **Targets “At Risk” individuals including those who:**
    - Have a criminal conviction or arrest record;
    - Have a history of substance abuse;
    - Receive TANF (Temporary Assistance to Needy Families);
    - Have poor credit;
    - Are economically disadvantaged or with little or no work history; or
    - Have been dishonorably discharged from the military
- \*Eligible individuals should be given the Federal Bonding Eligibility Letter\***



## NC FEDERAL BONDING REQUEST FORM

### Accessing the FBP is EASY!

1. A job offer is made, **PRIOR** to the first day of work, the **Employer** contacts Career Center staff, Regional Reentry staff, or the FBP Coordinator
2. Staff completes and submits the Federal Bonding Request form (revised 8/2019) to the Federal Bonding Coordinator.
3. The Federal Bonding Coordinator processes the bond and sends employer letter. The bond is issued and made effective on the employee's first day of work.
4. Employer receives a packet from Union Insurance Group with additional information.

This document must be completed and forwarded to the Federal Bonding Coordinator, Wendi Eure, by email ([wendi.bowen@nccommerce.com](mailto:wendi.bowen@nccommerce.com)) for processing. Some questions have a dropdown box with multiple options. To access the dropdown box, click "Choose an item" and then click the down arrow. Additional instructions and definitions can be found on pages 2-3.

#### Section 1: NCWorks Career Center or Other Job Placement Agency:

Agency Name	<input type="text"/>	Completed by	<input type="text"/>
Agency Address	<input type="text"/>	Email Address	<input type="text"/>
City/State/Zip	<input type="text"/>	Phone + Ext	<input type="text"/>

#### Section 2: Company Requesting Bonding:

Company Industry	Choose an item.	Contact Person	<input type="text"/>
Company Name	<input type="text"/>	Phone/Ext	<input type="text"/>
Company Address	<input type="text"/>	Email Address	<input type="text"/>
City/State/ Zip	<input type="text"/>		
Type of Company	Choose an item.	Number of Employees	Choose an item.

#### Section 3: Worker Covered By Bond:

First & Last Name	<input type="text"/>	Start Date	Click here to enter a date.
Worker's Address	<input type="text"/>	Job Title	<input type="text"/>
City/State/Zip	<input type="text"/>		
Hispanic/Latino	YES <input type="checkbox"/> NO <input type="checkbox"/>	Race	Choose an item.
Record of Arrest or Conviction?	YES <input type="checkbox"/> NO <input type="checkbox"/>	Gender	Choose an item.
Worker's Hourly Wage	<input type="text"/>	Hours per Week	<input type="text"/>

#### Section 4: Bond Coverage Amount:

Amount Requested	<input type="text"/>	Justification for additional coverage (approval required)
Justification is required if requested amount is more than \$5,000.	Choose an item.	<input type="text"/>

If you have questions, please contact:  
Wendi Eure, NC Federal Bonding Coordinator  
NC Department of Commerce, Division of Workforce Solutions  
Phone: 919-814-0457 Email: [wendi.bowen@nccommerce.com](mailto:wendi.bowen@nccommerce.com)

Revised 9/2019



# WORK OPPORTUNITY TAX CREDIT

A FEDERAL TAX CREDIT FOR EMPLOYERS WHO HIRE INDIVIDUALS IN CERTAIN TARGET GROUPS

Reduces the federal tax liability of private-for-profit employers

## Target Groups and Amounts:

### Veteran Target Group

Veteran Target Group	Maximum Tax Credit
Receives SNAP (food stamps) benefits	\$2,400
<b>Entitled to compensation for service-connected disability</b>	
Hired one year from leaving service	\$4,800
Unemployed at least 6 months	\$9,600
<b>Unemployed</b>	
At least 4 weeks	\$2,400
At least 6 months	\$5,600

### Other WOTC Target Groups

Target Group	Maximum Tax Credit
Qualified Long-Term Unemployment Recipient	\$2,400
Short-Term TANF Recipient	\$2,400
Long-Term TANF Recipient	\$9,000 (over 2 yrs)
SNAP (food stamp) Recipient	\$2,400
Designated Community Resident	\$2,400
Vocational Rehabilitation Referral	\$2,400
Ex-Felon	\$2,400
SSI Recipient	\$2,400
Summer Youth	\$1,200





# NC BUSINESS SAVINGS WITH EX-FELON CATEGORY

Fiscal Year  
2018-2019

Certified 1,818  
EX-Felon Applications

Max Credit  
\$2,400

Total Savings =  
\$4.4 Million

- The Ex-Felon category represents only about 2.14% of the total Certified Tax Credits
- To qualify for this category, the individual must have a **felony conviction** or **release from prison** within the **past 12 months** prior to hire
- Employees must work at least **400 hours** to qualify for the maximum amount of \$2,400 (based on 40% of first year's wages)
- Employees who work between **120 and 399 hours** can qualify for a partial tax credit up to **\$1,500** (based on 25% of first year's wages)



# HOW DOES IT WORK?

**Step 1: Employee or Employer** Completes IRS Form 8850 (Pre-Screening Notification and Certification Request)

**Step 2: Employer** Completes ETA Form 9061 (Individual Characteristics Form)

**Step 3: Employer** registers as a user at [www.ncworkswotc.com](http://www.ncworkswotc.com) and electronically submits the request to NC Division of Workforce Solutions **within 28 days** of the new employee start date.

\*Hard copies of Form 8850 and Form 9061 should be retained by employer for their records.

**Step 4: Employer** receives an electronic determination of eligibility, denial with explanation, or request for additional information.

**Step 5:** After receiving a certification, employer may file for the tax credit with the IRS on their yearly taxes.

\*Tax credits can be claimed only once per employee, but there is **no limit** on the number of qualifies employees the company can hire

## For More Information or Questions:

Freeman Denton | WOTC Program Coordinator | 919-814-0439

[Freeman.denton@nccommerce.com](mailto:Freeman.denton@nccommerce.com)

<https://www.doleta.gov/business/incentives/opptax/>



# 100-DAY NO FAULT GUARANTEE

- Selecting the right person for a job can be a challenge.
- If you need to terminate a new employee, your unemployment insurance taxes may not be affected.
- Applicable only if the employee is terminated...
  - within a 100-day period from the date of hiring.
  - due to a bona fide inability to do the work.
- Employers must request the non-charging by contacting the Division of Employment Security.
- As a result, the employer is not penalized for giving someone a chance at the job.
- Reduces the federal tax liability of private-for-profit employers



## **For More Information or Questions:**

Contact the Division of Employment Security

Employer Call Center at 919-707-1150

This information is also available:

<https://des.nc.gov/DES/Static?page=100DayGuarantee>



# EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) GUIDANCE

## Charge/Arrest v. Conviction

- The fact of an arrest does not establish that criminal conduct has occurred, and an exclusion based on an arrest, in itself, is not job related and consistent with business necessity. However, an employer may make an employment decision based on the conduct underlying an arrest if the conduct makes the individual unfit for the position in question.
- In contrast, a conviction record will usually serve as sufficient evidence that a person engaged in particular conduct.
- Federal law discourages employers from having a blanket policy of denying employment to individuals with criminal histories

Employers must give full consideration to certain factors including:

- The nature and gravity of the offense(s);
- The time that has passed since the conviction and/or completion of the sentence; and
- The nature of the job held or sought.

Resource: Title VII of the Civil Rights Act of 1964, [http://www.eeoc.gov/laws/guidance/arrest\\_conviction.cfm](http://www.eeoc.gov/laws/guidance/arrest_conviction.cfm)



# FAIR CREDIT REPORTING ACT

Where a criminal record report is provided to an employer by a credit reporting agency (“CRA”), the Fair Credit Reporting Act (“FCRA”) is applicable. FCRA creates obligations on both CRAs preparing criminal background reports and on employers using them.

**Among the duties that FCRA imposes when (i) an employer uses (ii) a consumer report of a criminal record provided by a CRA (3) for purposes of an employment decision:**

- **NOTICE AND AUTHORIZATION:** The employer must provide a clear written notice in a stand-alone document to the job applicant that it may obtain a consumer report. The employer also must obtain written authorization from the job applicant to get the report.
- **NOTICE OF PROSPECTIVE ADVERSE ACTION:** If an employer intends to take adverse action based on the consumer report, a copy of the report and a Summary of Rights must be provided to the job applicant before the action is taken. The reason for this requirement is to permit a job applicant to address the report before an employment decision is made.
- **NOTICE OF ACTUAL ADVERSE ACTION:** After an adverse decision is made, an employer must notify the job applicant that an adverse decision was made as a result of the report and must provide, among other things, the name, address and telephone number of the CRA and the right to dispute the accuracy or completeness of the report.



# EXPUNCTIONS IN NORTH CAROLINA

An expunction is the deletion of a criminal record and allows a person to honestly deny having a criminal record for most purposes (except in federal immigration or certain employment).

## Eligibility

- A first-time, non-violent (felony offense over 10 years old or Misdemeanor offense over 5 years old)
- A first-time offense committed by someone under 18 or under 22 (depending on the category of expungement being applied)
- Dismissed or disposed charges (not guilty)

\*There are many factors used to determine eligibility. To be certain about eligibility for an expungement, those interested should consult with an attorney.

- DWS staff cannot give legal advice or guidance to customers
- Free legal clinics can be established at any NCWorks Career Center. To set up these clinics, reach out to your Regional Reentry Specialist.
- If the customer is unable to afford a private attorney, North Carolina has options for free legal services such as Legal Aid of NC.





# CERTIFICATES OF RELIEF (COR)

- A shield for employers, landlords, and other decision-makers from negligent liability
- Relieves most collateral sanctions and provides evidence of rehabilitation
- Individual must petition the court that convicted the person to receive a COR
- COR does not delete or obscure a criminal record

## Eligibility:

- Available to individuals with any number of misdemeanors or up to 3 class H or I felonies
- Must have no pending charges and engaged in or seeking a lawful occupation
- Available one year after completion of sentence

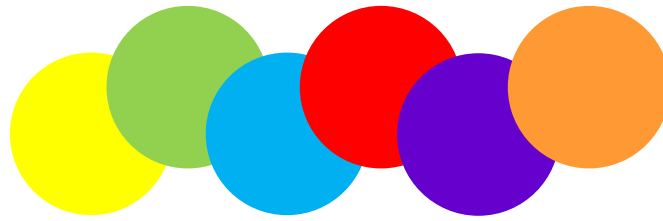
STATE OF NORTH CAROLINA			
County		File No.	
IN THE MATTER OF		In The General Court Of Justice	
Name And Address Of Petitioner (Type Or Print)		<input type="checkbox"/> District <input type="checkbox"/> Superior Court Division	
Age	Sex	Date Of Birth	Last Four Digits Of SSN
CERTIFICATE OF RELIEF PETITION AND ORDER			
G.S. 15A-173.1 - 173.2 - 173.3 - 173.4 - 173.5 - 173.6			
File No.	Date Of Conviction	General Offense And Offense Description	Date Of Completion Of Sentence
I. OFFENSE(S)			
II. PETITION			
I hereby petition for a Certificate of Relief under Article 6 of Chapter 15A of the General Statutes and certify as follows:			
1. I was convicted of no more than two Class G, H or I felonies or misdemeanors in one session of court, as shown above.			
2. I have no other convictions for a felony or misdemeanor other than a traffic violation.			
3. At least twelve (12) months have passed since I earned all of the active time, if any, imposed for each offense, and since I completed any period of probation, post-release supervision, or parole related to the offense that was required by State law or court order.			
4. <input type="checkbox"/> I am engaged in, or seeking to engage in, the following lawful occupation or activity: (not employment, training, education, or rehabilitative program)			
<input type="checkbox"/> I have the following lawful source of support: (not source of support)			
5. I have complied with all requirements of my sentence, including any terms of probation.			
6. <input type="checkbox"/> I am not in violation of the terms of any criminal sentence.			
<input type="checkbox"/> I am in violation of the terms of a criminal sentence, but the failure to comply is justified, excused, involuntary, or inadvertent because (explain justification):			
7. No criminal charges are currently pending against me.			
8. Granting the petition would not pose an unreasonable risk to the safety or welfare of the public or any individual.			
9. If I filed a previous petition for a Certificate of Relief that was denied, at least twelve (12) months have passed since the denial, and the petitioner has remedied any defects in the previous petition and has complied with any conditions for reapplication set by the Court in that denial.			
NOTE TO PETITIONER: You may submit additional materials that support the claims made in this petition at the hearing. Please note that any additional materials you submit may become part of the official court record, which is open to the public.			
III. SERVICE ON DISTRICT ATTORNEY			
NOTE TO CLERK: "When a petition for a Certificate of Relief is filed under G.S. 15A-173.1 - 173.6, the court shall notify the district attorney at least three weeks before the hearing on the matter." G.S. 15A-173.4(a). No hearing may be held on this matter until at least three (3) weeks after notice to the District Attorney.			
NOTE TO DISTRICT ATTORNEY: "The district attorney shall have the right to appear and be heard at any proceeding relating to the issuance of the Certificate of Relief." G.S. 15A-173.4(c). "The victim of the underlying offense for which a Certificate of Relief is sought may appear and be heard, or may file a statement for consideration by the court, in a proceeding for issuance of the Certificate of Relief. Notification to the victim shall be made through the victim witness coordinator in the office of the district attorney." G.S. 15A-173.6.			
The undersigned accepts service of this petition on behalf of the Office of the District Attorney.			
Name _____ Signature Of District Attorney			
Name Of Person Acquiring Service (Type Or Print) _____ File Of Person Acquiring Service (Type Or Print) _____			

IV. FINDINGS OF FACT	
After a hearing on this petition, and after reviewing the petition, the petitioner's criminal history, any information provided by the victim, any information provided by the District Attorney, and any other relevant evidence, the Court finds the following by a preponderance of the evidence:	
The petitioner was convicted of no more than two Class G, H or I felonies or misdemeanors in one session of court.	
The petitioner has no other convictions for a felony or misdemeanor other than a traffic violation.	
At least twelve (12) months have passed since the petitioner served all of the active time, if any, imposed for each offense, and since the petitioner completed any period of probation, post-release supervision, or parole related to the offense that was required by State law or court order.	
The petitioner (check one or both):	
<input type="checkbox"/> is engaged in, or seeking to engage in, the following lawful occupation or activity: (not employment, training, education, or rehabilitative program) _____	
<input type="checkbox"/> has the following lawful source of support: (not source of support) _____	
The petitioner has complied with all requirements of the sentence, including any terms of probation.	
The petitioner (check one):	
<input type="checkbox"/> is not in violation of the terms of any criminal sentence.	
<input type="checkbox"/> is in violation of the terms of a criminal sentence, but the failure to comply is justified, excused, involuntary, or inadvertent because (explain justification): _____	
No criminal charges are currently pending against the petitioner.	
Granting the petition would not pose an unreasonable risk to the safety or welfare of the public or any individual.	
No previous petition has been filed, or if the petitioner filed a previous petition for a Certificate of Relief that was denied, at least twelve (12) months have passed since the denial, and the petitioner has remedied any defects in the previous petition and has complied with any conditions for reapplication set by the Court in that denial.	
The Office of the District Attorney received notice at least three weeks prior to the hearing on this matter.	
Other: _____	

V. CONCLUSIONS OF LAW	
On the foregoing findings of fact, the Court concludes as follows: (check one)	
<input type="checkbox"/> I hereby grant the petition. Finding No. 1 through Finding No. 10 above having all been found, and the Court having found no reason in Finding No. 11 above to deny or limit the Certificate of Relief, the petitioner is entitled to a full Certificate of Relief.	
<input type="checkbox"/> I hereby deny the petition. Finding No. 1 through Finding No. 10 above having NOT all been found, indicating that the petitioner should not obtain the relief requested, the petitioner is NOT entitled to a Certificate of Relief.	
<input type="checkbox"/> The following reapplication condition(s) is/are necessary: _____	
I reserve the right to reconsider the petition. Finding No. 1 through Finding No. 10 above having all been found, BUT having found reason in Finding No. 11 above to limit the Certificate of Relief, the petitioner is entitled to a Certificate of Relief, with the following limitation: (severity restriction and/or collateral consequence from which relief should not be granted)	

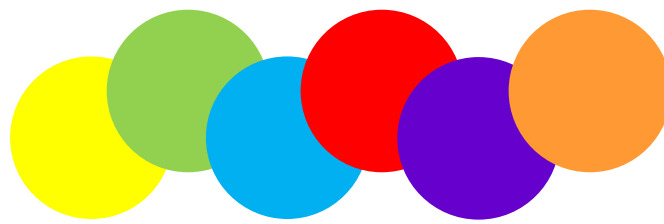
VI. ORDER	
<input type="checkbox"/> I hereby grant the petition. The petitioner's request for a full Certificate of Relief is granted.	
<input type="checkbox"/> I reserve the right to reconsider the petition. Finding No. 1 through Finding No. 10 above having NOT all been found, indicating that the petitioner should not obtain the relief requested, the petitioner is NOT entitled to a Certificate of Relief.	
<input type="checkbox"/> I reserve the right to reconsider the petition. The petitioner's request for a Certificate of Relief is granted, with the following limitation: (severity restriction and/or collateral consequence from which relief should not be granted)	
Name Of Judicial Officer (Type Or Print)	Signature Of Judicial Officer





# ANY QUESTIONS?





## Reentry Staff Directory

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